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To: Assistant Commissioner for Patents

From: David Bonham
(703) 433-0510

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Fax: 703-872-9306

Total pages: 3

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Date: 8/16/02

In connection with prosecution in Serial No.
Re: 09/845,080, please find enclosed a Response to
Restriction.

CC:

Sincerely,

David Bonham

Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Naimark et al.

Serial No.: 09/845,080

Filed: April 27, 2001

Title: MICROPARTICLE PROTECTION
OF THERAPEUTIC AGENTS

Art Unit: 1632

Examiner: Dave Trong Nguyen

Docket No.: 00-0238

VIA FACSIMILE 703-872-9306
Assistant Commissioner for Patents
Washington, D.C. 20231

RESPONSE TO RESTRICTION

Sir:

In response to the Office Action mailed July 16, 2002 in the above matter, please consider the following response to the outstanding restriction requirement.

Applicants hereby elect with traverse Group I, claims 2-3, drawn to a method of using microparticles to protect pharmaceutical effectiveness of a pharmaceutically active agent when exposed to a metal.

Pursuant to 35 U.S.C. 121, election of a single disclosed species for prosecution on the merits was also required. Applicants hereby elect stainless steel from claim 3 as the single disclosed species for prosecution on the merits.

CONCLUSION

Applicants submit that this application is in condition for allowance, early notification of which is earnestly solicited. The Examiner is encouraged to contact the undersigned at (703) 433-0510 to discuss any outstanding issues in this case.

FEES

The Office is authorized to charge any fees required in connection with this application to deposit account number 50-1047.

Respectfully submitted,


David B. Bonham
Registration No. 34,297

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I hereby certify that this correspondence is being sent to the United States Patent and Trademark office via Facsimile to: 703-872-9306 on	
<u>Aug. 16, 2002</u>	
_____ David B. Bonham (Printed Name of Person Mailing Correspondence)	
<u>DB</u> (Signature)	